

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

United States of America)

v.)

Case No. 2:23-mj-381

Clay Thomas Wolfe)
1729 Garey Road NE)
Junction City, Ohio 43748)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 2022 through February 2023 in the county of Perry County in the
Southern District of Ohio, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. § 2251

Sexual Exploitation of a Minor

18 U.S.C. §§ 2252, 2252A

Distribution, Receipt, and Possession of Child Pornography

This criminal complaint is based on these facts:

See attached affidavit incorporated herein by reference

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence.

Date: 6/22/2023City and state: Columbus, Ohio
Complainant's signature

FBI Special Agent Andrew D. McCabe

Printed name and title


Chelsey M. Vascura
United States Magistrate Judge
Judge's signature
Chelsey M. Vascura, US Magistrate Judge
Printed name and title

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

| | | |
|----------------------------------|---|---------------------------------|
| IN THE MATTER OF: |) | |
| |) | |
| United States of America |) | Case No: 2:23-mj-381 |
| v. |) | |
| |) | |
| Clay Thomas Wolfe |) | MAGISTRATE JUDGE VASCURA |
| 1729 Garey Road NE, |) | |
| Junction City, Ohio 43748 |) | <u>FILED UNDER SEAL</u> |

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Andrew D. McCabe, a Special Agent with the Federal Bureau of Investigation (FBI), being duly sworn, hereby depose and state:

1. I, Special Agent Andrew McCabe (your affiant), make this affidavit in support of a criminal complaint to arrest Clay Thomas WOLFE for violations of Title 18 United States Code §§ 2251, 2252, and 2252A – the sexual exploitation of a minor and the distribution, receipt, and possession of child pornography. The statements contained in this affidavit are based in part on information and analysis provided by law enforcement agents; written reports about this and other investigations that I have received, and your affiant’s personal knowledge and finding during the investigation. Since this affidavit is being submitted for the limited purpose of securing a criminal complaint and arrest warrant your affiant did not include each and every fact known concerning this investigation. Your affiant did not withhold any information or evidence that would negate probable cause. Your affiant set forth only the facts that are believed to be necessary to establish probable cause that WOLFE committed the violation listed above.
2. Your affiant has been an FBI Special Agent since September 2010, and I have been assigned to the Cincinnati Division since January 2020. During my tenure as an FBI Special Agent, I have investigated numerous crimes including, but not limited to, bank robbery, drug trafficking, racketeering, kidnapping, violent extremism, and crimes against children. As a Special Agent I have participated in various investigations involving computer-related offenses and have executed search warrants, including those involving searches and seizures of computers, digital media, software, and electronically stored information. As a SA, I am authorized to investigate violations of the laws of the United States under the authority of the United States.

FACTS SUPPORTING PROBABLE CAUSE

3. On or about April 8, 2022, law enforcement with the Baldwin-Whitehall School District in Pittsburgh, Pennsylvania contacted the Whitehall Borough Police Department (WBPD) in relation to the dissemination of child sexual abuse material at a local middle school. More specifically, WBPD learned that a sixth-grade student at a Pittsburgh, Pennsylvania middle school had been distributing photos of another fellow sixth-grade student.
4. Through their investigation, WBPD learned Minor Victim One (MV1) an approximately eleven-year-old male, had been using the mobile application Snapchat and was in communications with a Snapchat user who utilized the display name "Ally." On or about April 6, 2022, "Ally" sent MV1 an explicit image of another student, Minor Victim Two (MV2) an approximately eleven-year-old male. MV1 indicated that the image of MV2 appeared to be a photograph taken from the groin area facing upwards towards MV2's chest and face. The nude penis of MV2 was depicted in the image.
5. In a further interview with MV1, MV1 provided his Snapchat username and the username for "Ally" as "am.rich23." In addition to the image of MV2, law enforcement learned "Ally" sent MV1 an image which appeared to depict the breasts of a pubescent female, but the image did not show the female's face. MV1 further admitted he did not know the identity or age of "Ally" but was aware that other fellow classmates at his Pittsburgh middle school had also communicated with "Ally."
6. During the investigation, Witnesses One and Two were interviewed as well. Witness One and Two are twelve-year-old males who attend school with MV1 and MV2. Both admitted they had separately communicated with "Ally" on Snapchat and, while neither knew the identity of "Ally," both confirmed "Ally" stated she was from Ohio. Witness Two reported he had played a game called "25 questions" with "Ally" on Snapchat and during this conversation, "Ally" indicated she was a 15-year-old female from Ohio. Witnesses One and Two both confirmed that they had seen the explicit image of MV2, and the image had been sent to them separately by MV1 via Snapchat.
7. Legal process and search warrants were served to Snapchat for the "Ally" Snapchat account with Snapchat username "am.rich23." On or about May 31, 2022, return results were received, which noted that IP address 184.58.112.20 and email address arich1523@gmail.com were associated with the "am.rich23" Snapchat account.
8. The search warrant results from Snapchat for the "am.rich23" account also revealed the account was in communication with MV1. The "am.rich23" account had three saved images of MV1, which your affiant reviewed. These images are described as follows:
 - Image One: full face of MV1 with an exposed penis;
 - Image Two: MV1 wearing a blue shirt displaying his exposed penis. MV1's face is partially visible; and
 - Image Three: MV1 wearing a blue shirt exposing his erect penis.
9. In addition, the "am.rich23" account had three saved images of another approximately ten-year-old male, hereinafter referred to as Minor Victim 3 (MV3), which appeared to have been taken in the same room as the images previously identified of MV1. These images are

described as follows:

- Image One: MV3 kneeling wearing white underwear and a purple shirt, kneeling on his hands and knees, exposing his anus and buttocks;
 - Image Two: MV3 wearing a purple shirt and grey and black camouflage patterned pants, exposing his aroused, exposed penis; and
 - Image Three: MV3 wearing grey pants, white underwear, and a purple shirt, holding his aroused, exposed penis.
10. Law enforcement also learned the National Center for Missing and Exploited Children (NCMEC) had received a tip from Snapchat regarding the “am.rich23” account as well. More specifically, WBPd learned that one image of suspected child pornography was uploaded by the “am.rich23” account on May 15, 2021. That image depicted a pubescent female pulling her shirt up to expose her naked breasts. This image appears to be consistent with the image MV1 described “Ally” had sent to him¹.
11. Your affiant further learned the IP address associated to the “am.rich23” account for the May 2021 NCMEC report was 184.58.112.20, the same IP address associated with the legal process returns from Snapchat. An open-source database check showed the IP address was resolved to Charter Communications Inc.
12. On or about July 5, 2022, in response to legal process, Charter Communications identified the subscriber of the account associated to that IP address as Marcia Wolfe, residing at 1729 Garey Road NE, Junction City, Ohio 43748.
13. Legal process was also served to Google, LLC for information related to the arich1523@gmail.com email account, the email account registered to the “am.rich23” Snapchat account. On or about July 7, 2022, Google provided the following information:
- Username:** Ally Richards
Date of Birth: 7 June 2003
Google Account ID: 10962827015
Recovery Email: Claywolfe_11@hotmail.com
Device Used: Apple iPhone 11
Account Creation Date: March 6, 2019
Date Last Active: June 5, 2022
14. Additional legal process was served to Microsoft as related to the recovery email noted above, Claywolfe_11@hotmail.com. On or about August 31, 2022, Microsoft provided the following responsive information:
- Username:** Clay Wolfe
Account Creation Date: June 25, 2005
Used: iPhone 11

¹ Your affiant would note that, based on my training and experience, individuals involved in criminal activity will often create fictitious email accounts in order to obscure their true identity and location. The recovery email address associated with fictitious accounts are often valid email addresses for the user to allow the individuals to retain access to their accounts.

15. A check with the Bureau of Motor Vehicles revealed Clay Thomas Wolfe (WOLFE), date of birth June 5, 1995, resided at 1729 Garey Road NE, Junction City, Ohio. Further open source and database checks have identified WOLFE, as an assistant woman's volleyball coach at New Lexington High School, New Lexington, Ohio.
16. In review of the returns from Microsoft related to the Claywolfe_11@hotmail.com email address revealed on or about January 4, 2021, it was noted WOLFE sent an email in which he provided his resident address as 1729 Garey Rd, NE Junction City, Ohio 43748 and his telephone number as 740-684-2777. The same Microsoft returns also showed on or about July 7, 2022, an email was sent to WOLFE from Snapchat. The email stated WOLFE's Snapchat account was logged into from an iPhone XR on July 7, 2022, utilizing IP address 184.58.112.20. Your affiant would note this IP address is the same one Snapchat reported in the NCMEC tip from May 2021 and the same IP address obtained through the Snapchat legal process request.
17. On or about July 10, 2022, an email was sent to WOLFE at claywolfe_11@hotmail.com from Google LLC. In the email, Google informed the WOLFE that the password for the Google account wolfe3822@gmail.com was changed.
18. In addition, on or about July 17, 2022, an email was sent to WOLFE at claywolfe_11@hotmail.com from Google, LLC. In the email, Google stated it had received a request to access the Google account 740-684-2777. Your affiant would note that 740-684-2777 is the telephone number WOLFE previously self-identified as using in another email recovered from the Hotmail account.
19. On or about September 6, 2022, WBPD reached out to the FBI and your affiant for assistance related to the investigation of WOLFE.
20. In learning that the "am.rich23" Snapchat account was still being utilized, on September 9, 2022, a preservation request was submitted to Snapchat for that account. In addition, on September 9, 2022, preservation orders were served to Google, LLC for the wolfe3822@gmail.com email and Microsoft for the Claywolfe_11@hotmail.com email.
21. Legal process was also served to Apple, Inc. requesting information regarding iCloud accounts associated with telephone number 740-684-2777. On or about October 11, 2022, Apple provided the following information regarding the iCloud Account associated with telephone number 740-684-2777:
 - Apple ID:** claywolfe_11@hotmail.com
 - DS ID:** 1019111025
 - Account Type:** Full iCloud
 - Name:** Clay Wolfe
 - Account Creation Date:** December 25, 2012
 - Address:** 1725 Garey Rd, Junction City Ohio
 - Telephone number:** 17406842777
 - Registration IP address:** 107.8.123.3
22. Apple, Inc. provided further information which indicated from February 10, 2019, to the present, the following devices were associated with the iCloud Account: an iPhone XR,

Serial Number G0NY3K51KXKN and an iPhone 13 mini, Serial Number X625QPT6QR. Your affiant would note the iPhone XR was utilized to log into the “am.rich23” Snapchat account. Apple also indicated IP address 184.58.112.20 was used to access the iCloud account. Your affiant would note this IP address is the same one Snapchat reported in the NCMEC tip from May 2021 and the same IP address obtained through the Snapchat legal process request.

23. In November 2022, your affiant obtained a search warrant from the Southern District of Ohio for the content of the iCloud account associated with Apple ID “claywolfe_11@hotmail.com.” On or about December 7, 2022, return results were received. A review of the returns revealed over 100 images and videos of nude pubescent and prepubescent males engaged in the lascivious exhibition of their genitalia, masturbation, or sex acts with others.
24. In January 2023, your affiant obtained a search warrant from the Southern District of Ohio for the contents of the Snapchat account associated with the username “am.rich23.” Returns provided by Snapchat revealed between March 1, 2022, and January 10, 2023, WOLFE engaged in online communications with over one hundred other Snapchat users. Review of these communications revealed WOLFE represented himself as a teenage female named “Ally” who resided in Ohio. WOLFE sent both nude and clothed images and videos of pubescent females to almost exclusively male users and requested nude images in return. Many of those with whom WOLFE communicated were minor boys who sent nude or sexually explicit images to WOLFE.
25. On February 8, 2023, a Perry County search warrant was executed at WOLFE’s residence, located at 1729 Garey Rd, NE, Junction City, in Perry County, Ohio. During the search warrant execution, law enforcement seized a total of seven devices including the following: 1) Jahovans Thumb Drive; 2) HP Laptop serial number 2CE20419XL; 3) Samsung Galaxy Cellular Telephone bearing IME 35BS180722171; 4) Black Apple iPhone 13 mini cellular telephone bearing IME 353186432413169; 5) Black Apple iPhone 4s cellular telephone; 6) Samsung Cellular phone bearing a sticker with the number “55;” 7) Black Apple iPhone; and 8) Sony PS4 serial number MB07333920. The forensic extraction and review of these devices is still ongoing at this time.
26. An on scene preview of the cellular phones was conducted and multiple images of child sexual abuse material were noted by law enforcement. In addition, WOLFE consented to the search of his iPhone 13 Mini and hundreds of images depicting nude age questionable or pubescent males were observed.
27. While on scene, WOLFE indicated that he had used the Snapchat account “am.rich23” to receive child pornography and admitted to obtaining child pornography from over 100 minor victims since 2018. WOLFE further admitted to distributing the images he obtained to others he met online. WOLFE admitted to receiving pornographic images of minor children as recently as February 7, 2023, the day before the search warrant execution.
28. Currently the FBI Investigation has identified multiple minors who have sent nude and sexually explicit images and videos to WOLFE at his request.

CONCLUSION

28. Based upon the foregoing, your affiant submits that there is probable cause to believe that Clay Thomas WOLFE has committed the violations of 18 U.S.C. §§ 2251, 2252 and 2252A - the sexual exploitation of a minor and the distribution, receipt, and possession of child pornography. Therefore, your affiant respectfully requests this court issue a criminal complaint and arrest warrant.

Respectfully submitted,



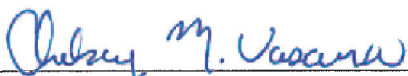
Andrew D. McCabe
Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me on



Honorable Chelsey M. Vascara
United States Magistrate Judge
United States District Court
Southern District of Ohio

Sworn to and subscribed before me this 22nd day of June, 2023.



The Honorable Chelsey M. Vascara
United States Magistrate Judge
United States District Court
Southern District of Ohio